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7 **UNITED STATES BANKRUPTCY COURT**  
8 **NORTHERN DISTRICT CALIFORNIA**  
9 **SAN JOSE DIVISION**

10

11 In re:

12 EDWIN L. PINA,  
13 MAILENE MAC

14 Debtors

15 Case No.: 09-57362-RLE

16 CHAPTER 13

17 PRE-HEARING CONFERENCE  
18 STATEMENT

19 Hearing Date: April 15, 2010  
20 Time: 2:00 PM  
21 Courtroom: 3099  
22 Judge: Hon. Efremsky

23

24 COME NOW DEBTORS and pursuant to the Objection to Confirmation issued by the Trustee,  
25 respond as follows:

26 1. Date Objection Filed:

27 Trustee: October 15, 2009; November 24, 2009 (First-amended); February 3, 2010  
28 (Second-Amended); February 8, 2010 (Third-Amended)

29 2. Date of Initial Conference and Subsequent Conf.

30 Trustee: None; debtors will comply

31 3. Statement of Legal and Factual Issue

32 The Trustee objects to debtors' confirmation based on the grounds that: (1) Debtor, Edwin  
33 Pina, failed to provide a copy of his last payment advice received in January 2009; (2) Debtor,

1 Mailene Mac, failed to provide to the Trustee a copy of her payment advices for the period of  
2 June 23, 2009 through July 12, 2009; (3) Schedule D lists Chase Home Finance (account number  
3 0110092346) as the second deed of trust holder on Debtors' Morgan Hill property, whereas the  
4 "other provisions" of the plan state that Chase Mortgage (account number 2002479591) is the  
5 second deed of trust holder for the property.

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7 **Point 1 & 2.** Debtors submitted their declarations regarding the missing payment advices on  
8 January 28, 2010.

9  
10 **Point 3.** Debtors respectfully disagree. The Attachment to Plan identifies "Chase  
11 Mortgage, its assignees, successors, predecessors, and agents" which Debtors believe adequately  
12 describes Chase Home Finance as well as Chase Mortgage.

13  
14 4. Discovery. None  
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16 5. Request. Debtors believe that the case is ready for confirmation.  
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18 Dated: March 15, 2010 THE FULLER LAW FIRM  
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21 By: /s/ Sam Taherian  
22 SAM TAHERIAN  
23 Attorney for Debtors  
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